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C O N F I D E N T I A L HELSINKI 001025

SIPDIS

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TAGS: [MOPS](#) [PREL](#) [YI](#) [FI](#) [NATO](#)

SUBJECT: KFOR: FINLAND'S CAVEATS IN KOSOVO

REF: A. STATE 162868

[1](#)B. PRISTINA 951

Classified By: ACTING POL CHIEF DAVID ALLEN SCHLAEFER FOR REASONS 1.4 (B) and (D)

[1](#)1. (C) According to the Finnish Defense Forces (FDF), Finland has the following national caveats on the use of Finnish troops in Kosovo:

-- No use of lethal force to protect property. (This caveat and the next do not affect the peacekeeper's right to self-defense.)

-- No use of lethal force to prevent a detained person from escaping.

-- No use of riot control weapons, including tear gas, water cannons, or rubber bullets.

-- No use of Finnish forces outside the KFOR area of operations.

[1](#)2. (C) In a conversation with the FDF International Division, Embassy Helsinki DATT was told that the FDF has proposed to the Ministry of Defense that the latter two caveats be lifted. The third was written into Finnish deployment orders some years ago, when it was assumed that soldiers would not be involved in riot control actions. Now the Finns realize the situation has changed, said our source. Nevertheless, MoD lawyers are currently examining the use of tear gas to be sure that it is consistent with Finland's obligations under the Chemical Weapons treaty.

[1](#)3. (C) In a July 29 conversation with Klaus Korhonen, MFA Acting Political Director, and Mikko Kinnunen, Acting Chief of the Security Policy Unit, POL Chief urged the MFA to throw its weight behind the lifting of all four caveats. POL Chief stressed that this recommendation is the result of the NATO study of lessons learned from the tragic violence of last March -- when former Finnish PM Holkeri was head of UNMIK. We underlined that the first caveat is not a theoretical issue, since attacks on patrimonial sites, or on the homes of minority groups, have been major contributors to past violence. Korhonen said he understood, but said MFA would need to discuss the caveats with its own legal staff, since "the principles, traditions, and practices on which (these limitations) may be based" have to be addressed.

[1](#)4. (C) On August 2, Acting Defense Attache presented a parallel demarche to Dr. Pauli Jarvenpaa, MoD DG for Defense Policy, and third-ranking official at the Ministry. Jarvenpaa said that in response to past incidents in Kosovo, Finnish Defense Forces (FDF) legal staff had prepared a document addressing the caveats issue; this document is currently being studied by MoD. Jarvenpaa opined that use of legal force to protect property and to prevent a detained person from escaping are the thorniest caveats for the Finns. He said that the Finns will find some sort of work-around on the use of riot control weapons (e.g., use of water cannons) so as to avoid violating NBC chemical weapons conventions. He further believed that the Finns would relax restrictions allowing their troops to operate outside the KFOR area of operations.

COMMENT

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[1](#)5. (C) The Finns remain committed to non-alignment, and are proud of the current and past role they have played in nonviolent dispute resolution and peacekeeping. That said, their attitude toward security issues also reflects their highly pragmatic side. As a nation they are proud of -- and comfortable with -- their close relationship with NATO and the fact that they were the first non-NATO country to lead a regional unit within KFOR. We assume that the question of caveats has been discussed with the Finns within NATO channels; to induce some change in the first caveat may require a very high-level presentation -- such as an early SACEUR demarche to ADM Kaskeala, the Finnish CHOD. The timing of this demarche is important. If countervailing views favoring restrictive caveats have time to harden, Kaskeala will have a more difficult time influencing the desired outcome.

